

1 KEKER & VAN NEST LLP
ROBERT A. VAN NEST - # 84065
2 BRIAN L. FERRALL - # 160847
DAVID SILBERT - # 173128
3 MICHAEL S. KWUN - #198945
633 Battery Street
4 San Francisco, CA 94111-1809
Telephone: (415) 391-5400
5 Email: rvannest@kvn.com;
bferrall@kvn.com; dsilbert@kvn.com;
6 mkwun@kvn.com

SUSAN CREIGHTON, SBN 135528
SCOTT A. SHER, SBN 190053
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
1700 K Street NW, Fifth Floor
Washington, D.C., 20006-3817
Telephone: (202) 973-8800
Email: screighton@wsgr.com;
ssher@wsgr.com

7
8 JONATHAN M. JACOBSON, NY SBN 1350495
CHUL PAK (*pro hac vice*)
DAVID H. REICHENBERG (*pro hac vice*)
9 WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
10 1301 Avenue Of The Americas, 40th Floor
New York, NY 10019-6022
11 Telephone: (212) 999-5800
Email: jjacobson@wsgr.com; cpak@wsgr.com;
12 dreichenberg@wsgr.com

13 Attorneys for Defendant
14 ARISTA NETWORKS, INC.

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN JOSE DIVISION

18 CISCO SYSTEMS, INC.,

19 Plaintiff,

20 v.

21 ARISTA NETWORKS, INC.,

22 Defendant.

Case No. 5:14-cv-05344-BLF (NC)

**[PROPOSED] ORDER GRANTING
DEFENDANT ARISTA NETWORKS,
INC.'S ADMINISTRATIVE MOTION TO
FILE DOCUMENTS UNDER SEAL IN
CONNECTION WITH ARISTA'S
OPENING BRIEF RE ANALYTIC
DISSECTION**

Dept.: Courtroom 3 – 5th Floor
Judge: Hon. Beth Labson Freeman

Date Filed: December 5, 2014

Trial Date: November 21, 2016

The Court, having fully considered the papers and arguments presented by the parties, and for good cause shown, hereby GRANTS Arista Networks, Inc.'s Administrative Motion to File Documents Under Seal in connection with Arista's Opening Brief re Analytic Dissection as follows:

Document	Portions to Be Filed Under Seal	Party Claiming Confidentiality
Exhibit 9 to the Declaration of Ryan Wong In Support of Defendant Arista Networks, Inc.'s Opening Brief re Analytic Dissection ("Wong Declaration") (Cisco Interrogatory Responses, Exhibit G)	Entire document. Contains and discusses Arista's Highly Confidential Source Code Material.	Arista, Cisco
Exhibit 10 to the Wong Declaration (Cisco Interrogatory Responses, Exhibit H)	Entire document. Contains and discusses Arista's Highly Confidential Source Code Material	Arista, Cisco
Exhibit 11 to the Wong Declaration (Compilation of Deposition Transcript Excerpts)	Pages 9:21-23 of the Li excerpt; pages 8:11-19 of the Liu excerpt. Previously filed under seal per the Court's August 24, 2016 order (ECF 487) at 24.	Cisco
Exhibit 13 to the Wong Declaration (Cisco document)	Entire document. Previously filed under seal per the Court's August 24, 2016 order (ECF 487) at 21.	Cisco
Exhibit 14 to the Wong Declaration (Cisco document)	Entire document. Previously filed under seal per the Court's August 24, 2016 order (ECF 487) at 21.	Cisco

Exhibit 15 to the Wong Declaration (Li Deposition Excerpts)	Pages 9:21-23; 152:8-20; 227:19-22; 236:22-24. Previously filed under seal per the Court's August 24, 2016 order (ECF 487) at 18.	Cisco
Exhibit 16 to the Wong Declaration (March 31, 2016 Remaker Deposition Excerpts)	Pages 27:1-29:25; 38:2-45:25; 50:2-57:25; 62:1-73:24; 82:1-85:19. Previously filed under seal per the Court's August 24, 2016 order (ECF 487) at 19.	Cisco
Exhibit 17 to the Wong Declaration	Entire document. Previously filed under seal per the Court's August 24, 2016 order (ECF 487) at 20-21.	Cisco
Exhibit 18 to the Wong Declaration (Sweeney Deposition Excerpts)	Entire document. Previously filed under seal per the Court's August 24, 2016 order (ECF 487) at 21. Discusses and discloses internal, non-public information regarding the development and development process of the Arista EOS software, including details regarding how certain technologies were integrated into Arista's products.	Arista

<p>Exhibit 20 to the Wong Declaration (Black Opening Expert Report)</p>	<p>Portions previously ordered filed under seal: Paragraphs ¶¶ 298, 397, 519, 525, and 678(i); portions quoting or referencing deposition of Philip Kasten; highlighted portions of Paragraphs ¶¶ 120, 123-125, 132, 161, 433, 438, 448-459, 461-471, 478-482, 498, 500-502, 504, 508, 510, 514, 515, 570, 580, 636, 689-691, 696, 700 and footnotes 32, 35, 40, and 128.</p> <p>Previously filed under seal per the Court's August 24, 2016 order (ECF 487) at 14, and August 26, 2016 order (ECF 490) at 2.</p> <p>Contains Arista confidential information at Paragraphs ¶¶ 397, 519, 525, and 678(i). Paragraph 397 discusses and discloses internal, non-public information regarding the development and development process of Arista EOS software, including details regarding how certain technologies were integrated into Arista's products. Paragraphs 519, 525, and 678(i) discuss and disclose non-public information regarding Dr. Black's review of highly confidential source code, and evidence relating to such source code.</p>	<p>Arista, Cisco</p>
---	---	----------------------

Exhibit 22 to the Wong Declaration (Black Rebuttal Expert Report)	<p>Paragraphs ¶¶ 148, 155, 156, 160–166, and 169–171; and 50-51, 55, 148, 155, 156, 159, 160, 165, and 170.</p> <p>Previously filed under seal per the Court’s August 24, 2016 order (ECF 487) at 22.</p> <p>Contains Arista confidential information at Paragraphs ¶¶ 148, 155, 156, 160–166, and 169–171, which discuss and disclose non-public information regarding both Dr. Black’s and Dr. Almeroth’s reviews of highly confidential source code, and evidence relating to such source code.</p>	Arista, Cisco
Exhibit 30 to the Wong Declaration (April 4, 2016 Loughheed Deposition Excerpts)	<p>Pages 259:15-260:22; 261:18-22; 267:4-295:1; 296:23-298:16, 346:18-374:18; 379:2-25.</p> <p>Previously filed under seal per the Court’s August 24, 2016 order (ECF 487) at 19-20.</p>	Cisco
Exhibit 32 to the Wong Declaration (Kasten (Juniper) Deposition Excerpts)	<p>Entire document.</p> <p>Previously filed under seal per the Court’s October 27, 2016 order (ECF 604) at 2.</p>	Juniper
Exhibit 33 to the Wong Declaration (Dell Corporation Representative Deposition Excerpts)	<p>Pages 50:6; 54:12.</p> <p>Previously filed under seal per the Court’s August 26, 2016 order (ECF 490) at 2.</p>	Dell
Exhibit 36 to the Wong Declaration (Liu Deposition Excerpts)	<p>Pages 167-172.</p> <p>Previously filed under seal per the Court’s October 27, 2016 order (ECF 604) at page 3.</p>	Cisco

Exhibit 38 to the Wong Declaration (Black Supplemental Report)	Paragraphs 13, 23, 35, 59, 76, 78, 80, 84, 85, 98, 99, 100 and footnote 11. Previously filed under seal per the Court's October 27, 2016 order (ECF 604) at 2.	Cisco
Exhibit 39 to the Wong Declaration (September 16, 2016 Loughheed Deposition Excerpts)	Pages 506, 583-584, 587-588, and 626. Previously filed under seal per the Court's October 27, 2016 order (ECF 604) at 3.	Cisco
Exhibit 42 to the Wong Declaration (November 20, 2016 Loughheed Deposition Excerpts)	Pages 55:2-56:18, 95:9-99:14; 178:11-13. Previously filed under seal per the Court's August 24, 2016 order (ECF 487) at 18.	Cisco
Exhibit 44 to the Wong Declaration (March 30, 2016 Remaker Deposition Excerpts)	Page 8:17-18. Previously filed under seal per the Court's August 24, 2016 order (ECF 487) at 22.	Cisco
Exhibit 45 to the Wong Declaration (Patil Email)	Entire document. Previously filed under seal per the Court's August 24, 2016 order (ECF 487) at 20.	Cisco

IT IS SO ORDERED.

Dated: _____

HON. BETH LABSON FREEMAN